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JUL 31 2004

Date August 2, 2004

To: Group Art Unit 2134

Fax No.: 0011 1 703 872 9306

Subject: United States Patent Application No. 09/575,165
Inventors/Assignors: Kia Silverbrook and Paul Lapstun
Assignee: SILVERBROOK RESEARCH PTY LTD

Our Ref: NPA009US

Total Number of Pages (including this) : 29

Attached is a petition to Withdraw Holding of Abandonment in reply to the Notice of Abandonment dated June 21, 2004, of Examiner Jacob Lipman.

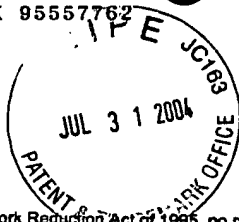
Regards


Kia Silverbrook
Paul Lapstun

Encl.

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PTO/SB/21 (02-04)

Approved for use through 07/31/2005. OMB 0851-0031

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/575,165	
	Filing Date	May 23, 2000	
	First Named Inventor	Kia Silverbrook	
	Art Unit	2134	
	Examiner Name	Jacob Lipman	
Total Number of Pages in This Submission	29	Attorney Docket Number	NPA009US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Request for Withdrawal of Abandonment
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Kia Silverbrook and Paul Lapstun
Signature	<i>[Handwritten Signature]</i>
Date	August 2, 2004

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Kia Silverbrook and Paul Lapstun
Signature	<i>[Handwritten Signature]</i>
Date	August 2, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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August 2, 2004

Commissioner of Patents and Trademarks
United States Patent and Trademarks Office
Box Issue Fee
WASHINGTON DC 20231
USA

By fax 0011 1 703 872 9306Attention: Examiner Jacob Lipman/GAU 2134

Dear Mr Lipman,

Re: US Patent Application No 09/575,165
In the Name of Kia Silverbrook and Paul Lapstun
Docket No: NPA009-US

We hereby lodge a petition to WITHDRAW HOLDING OF ABANDONMENT.

The Applicants respectfully point out that the response to Office letter mailed on November 17, 2003 was faxed to the USPTO on February 10, 2004. We petition the Commissioner to WITHDRAW HOLDING OF ABANDONMENT.

The enclosed Declaration of my Patent Administrator, Leonie Frances News, confirms that:

- a) The response to Office letter dated November 17, 2003 was faxed to the USPTO on February 10, 2004.
- b) The response faxed to the USPTO on February 10, 2004 was sent to the correct facsimile number at the time.

We look forward to receiving favourable consideration of our petition in the near future.

Yours sincerely,

Kia Silverbrook

Paul Lapstun

Encl.

Commonwealth of Australia
Statutory Declarations Act 1959

STATUTORY DECLARATION

In the Matter of US Patent
Application No. 09/575,165
in the name of Kia Silverbrook
and Paul Lapstun

I LEONIE FRANCES NEWS of 393 Darling Street, Balmain, New South Wales, 2041, Australia
do solemnly and sincerely declare as follows:

1. I am the Patent Administrator of Silverbrook Research Pty Ltd and have held this position since 1 September 1999.
2. I have responsibility for preparing and filing papers in relation to patent applications to USPTO of Kia Silverbrook, Paul Lapstun and Silverbrook Research Pty Ltd, including US Patent Application No. 09/575,165 ("*The Patent Application*").
3. A Notice of Abandonment was received on The Patent Application stating that the reply was not timely filed at the USPTO to Office Action mailed on November 17, 2003.
4. I checked my file and noted that a response to Office Action dated November 17, 2003 was faxed on February 10, 2004.
5. The facsimile was sent to the facsimile number indicated in the Office Action.
6. A voice mail message from Examiner Jacob Lipman was received, whereby Examiner Lipman inquired whether or not a response was sent.
7. An email reply was sent to Examiner Lipman to confirm that the response dated February 10, 2004 had been sent and a further copy of that response enclosed. On the "Transmittal Form", the "Certificate of Transmission" was completed as proof of transmission.
8. Exhibit LFN-1 shows a copy of the response sent by facsimile on February 10, 2004.
9. Exhibit LFN-2 shows a copy of Page 4 of the Office Action dated November 17, 2003 showing the facsimile number the response was to be sent to.
10. Exhibit LFN-3 shows a copy of the email correspondence by Examiner Lipman.

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And I make this solemn declaration aware of the penalties for false declarations under section 11 of the Statutory Declarations Act 1959 (Cwth of Australia).

Declared at ~~Sydney~~ Balmain
This ~~2nd~~ 8th day of ~~Aug~~ Aug 2004
by Leonie Frances News


Leonie Frances News

Before me:



LOUISE MCQUARRIE JP 9900544

Exhibit LFN-1

COPY



SILVERBROOK RESEARCH Pty Ltd

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February 10, 2004

Commissioner for Patents
Washington, District of Columbia 20231
USA

Dear Sir

United States Patent Application Serial No 09/575,165

Inventor/Assignor: Kia Silverbrook and Paul Lapstun

Title: METHOD AND SYSTEM FOR DELIVERY OF A SECURE DOCUMENT

Assignee: SILVERBROOK RESEARCH PTY LTD

Our Docket No: NPA009US

The status of the above application has changed from "Small Entity" to "Large Entity".

Please update your records accordingly.

Yours faithfully

Kia Silverbrook

Paul Lapstun

Exhibit LFN-2

Application/Control Number: 09/575,165
Art Unit: 2134

Page 4

obvious to one of ordinary skill in the art to add a photograph to Izawa's secure document, to increase security.

With regard to claims 6, 13, and 22, Izawa discloses the method for providing a secure document as outlined above, but does not mention buying the ticket with e-commerce. The examiner takes official notice that purchasing tickets over the Internet is well known in the art. It would have been obvious to one of ordinary skill in the art to apply Izawa's security method to tickets sold over the Internet, so as to improve their security.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Lipman whose telephone number is 703-305-0716. The examiner can normally be reached on 7:30 - 5 M-Th, and alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on 703-308-4789. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

JL



GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Exhibit LFN-3

COPY

Pascale Hair

From: Lipman, Jacob [Jacob.Lipman@USPTO.GOV]
Sent: Tuesday, 15 June 2004 8:24 PM
To: Pascale Hair
Subject: RE: USSN 09/575,165 - Our Ref: NPA009US

Pascale,

Talking with my boss, I believe the fax receipt you sent me will probably be enough for the office of petitions. It might be enough proof for the USPTO, just not for us as examiners. My boss told me that, to the best of his knowledge, the PTO does send some sort of confirmation receipt when a fax is received, and that information on such a receipt would help us track down the missing papers. I am sorry that I don't know more, and can't do more, but I do fully expect the office of petitions to revive this application. This is really the kind of thing they deal with frequently, while we hardly ever see this situation.

Jacob

-----Original Message-----

From: Pascale Hair [mailto:pascale.hair@silverbrookresearch.com]
Sent: Monday, June 14, 2004 6:18 PM
To: Lipman, Jacob
Subject: RE: USSN 09/575,165 - Our Ref: NPA009US

Dear Examiner Lipman,

Thank you for your answer. I guess there is no way we can prove we sent the response from the USPTO's point of view, that the case will be abandoned and we will lodge a petition. Our firm is located in Australia and we never receive any "fax receipt confirmation" from the USPTO other than the facsimile transmission our facsimile machine issues once a fax has gone through. Should there be another receipt? Is there a possibility the USPTO could issue such receipt back to us right after a facsimile transmission to the USPTO? How can other inventors/applicants who are located outside the US prove to the USPTO that their faxed response has gone through and meet the USPTO's requirement of proof (if needed)? We would be very grateful for a solution.

Thank you for kind your help.

Yours sincerely

Pascale Mair
Patent Assistant
Silverbrook Research Pty Ltd

-----Original Message-----

From: Lipman, Jacob [mailto:Jacob.Lipman@USPTO.GOV]
Sent: Monday, 14 June 2004 10:59 PM
To: Pascale Hair
Subject: RE: USSN 09/575,165 - Our Ref: NPA009US

Pascale,

For me to find the file, and to have enough to prove that we received it, I would need a receipt that the office would have sent in reply to this fax. My SPE informed me that the fax sheet you sent is not enough for us to act on, but may well be enough for the office of petitions. Unless you have a transmission from the office confirming receipt, there is not much I can do but abandon it, and remove the abandonment after the petition passes. It's really more of an issue of tracking down the papers than proving that you sent it. If you have such a receipt, please send it. I think the faster we move on this the better, since a reply should have already gone out if we had filed your response. Please get back to me by Wednesday on the chances of you finding such a receipt.

Jacob

-----Original Message-----

COPY

From: Pascale Hair [mailto:pascale.hair@silverbrookresearch.com]
Sent: Thursday, June 10, 2004 6:02 PM
To: Lipman, Jacob
Subject: RE: USSN 09/575,165 - Our Ref: NPA009US

Dear Examiner Lipman,

I am attaching the scanned page of the facsimile receipt which issued when we sent the response showing the fax number and the result confirming 17 pages were sent. If this is proof enough and you still cannot locate the response, then we could refax to yr direct fax number if necessary. Hope this is sufficient. Please let me know.

Thank you

Pascale Hair

-----Original Message-----

From: Lipman, Jacob [mailto:Jacob.Lipman@USPTO.GOV]
Sent: Friday, 11 June 2004 1:55 AM
To: Pascale Hair
Subject: RE: USSN 09/575,165 - Our Ref: NPA009US

Pascale,

If you still have a confirmation receipt from the patent office with the tracking number, that might help me try to locate it and prove that you sent it. Otherwise I will have to abandon it, and let you file a petition. Please get back to me by end of business Tuesday.
Jacob Lipman

-----Original Message-----

From: Pascale Hair [mailto:pascale.hair@silverbrookresearch.com]
Sent: Wednesday, June 09, 2004 9:27 PM
To: Lipman, Jacob
Subject: USSN 09/575,165 - Our Ref: NPA009US

Dear Examiner Lipman,

I refer to your telephone call today.

This is to inform you that a response to Office Action dated November 17, 2003 was faxed to you on February 10, 2004 to Fax no (as quoted in Office Action) 703.746.7239.

I will try and contact you tomorrow early am (our time).

Thank you,

Yours sincerely,

Pascale Hair
Patent Assistant
Silverbrook Research Pty Ltd